

REMARKS/ARGUMENTS

In the Office Action, the Examiner objects to Claim 8 for informalities. Claim 35 is rejected under 35 U.S.C. § 112 as lacking sufficient antecedent basis for the recitation “the message priority.” Claims 1-6, 9-11, 18-23, 24-26, 29, 33, 36-41, 44, 45, and 47-50 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,671,355 to Spielman et al. (“Spielman”). Claims 7, 12, 27-28, 30, 32, 35, and 46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spielman in view of U.S. Pat. App. Pub. No. 2006/0017983 to Syri et al. (“Syri”). Claims 14 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spielman in view of U.S. Pat. App. Pub. No. 2004/0153523 to Albal (“Albal”). Claims 13 and 42-43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spielman in view of U.S. Pat. App. Pub. No. 2006/0007932 to Simyon et al. (“Simyon”). Claims 13 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spielman in view of Syri and further in view of Simyon. Claims 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Spielman in view of Syri and further in view of Simyon and further in view of Albal.

Applicants have amended Claim 8 to depend from Claim 7 so as to overcome the informality objection. Applicants have further amended Claim 35 to depend from Claim 29 rather than from Claim 27 so as to provide proper antecedent basis for “the message priority” and overcome the § 112 rejection. Non-substantive amendments have also been made to several claims. In light of the subsequent remarks, Applicants respectfully submit that the claims are patentably distinct from the cited references, taken alone or in combination, and are in condition for allowance

The Rejection of Independent Claims 1, 22, and 36 Under §102(e) is Overcome

The Examiner finds that Spielman anticipates independent Claims 1, 22, and 36. Independent Claims 1, 22, and 36 are directed to a method, device, and computer program product for determining one or more recipients of a generic-recipient message. For example, a method according to Claim 1 includes receiving a generic-recipient message at a network hub and determining predefined attributes of the message. The

method further includes determining one or more recipients for the message based upon the predefined attributes. Claims 22 and 36 include similar recitations. Although not included in Claims 22 and 36, Claim 1 includes the additional recitation of dispatching the message to one or more recipients. In this regard, a generic-recipient message as defined in the specification of the present application may be a person-to-group, person-to-community, person-to-place, or person-to-application communication. Accordingly, a generic-recipient message is not sent to a specific individual. *See, e.g.* paragraph 3 of the present application.

Spielman is directed to an arrangement for common-format notification delivery messages based on notification device type in an IP-based notification architecture. In this regard, Spielman is directed toward sending notifications, such as a notification of a voice mail message, to a subscriber. Accordingly, Spielman teaches accessing subscriber profile information to determine a subscriber-defined protocol for delivery of the notification message to the specific subscriber indicated in the received notification message. *See*, Abstract and Col. 2, lines 55-65 of Spielman.

Applicants submit that Spielman does not teach or suggest receiving a generic-recipient message as recited by independent Claims 1, 22, and 36. As discussed above, a generic-recipient message is one that is not addressed and sent to a specific individual. The Examiner posits that Col. 4, lines 60-66 of Spielman teaches this recitation. However, at most, Spielman teaches receiving a notification method directed to a specific subscriber, i.e., recipient, and then routing that notification message to the designated recipient based on a protocol defined by the recipient. Accordingly, Spielman does not teach or suggest receiving a generic-recipient message as recited by independent Claims 1, 22, and 36.

Applicants further submit that Spielman does not teach or suggest determining one or more recipients for the message based upon predefined attributes of the message. As discussed above, Spielman teaches receiving a notification message directed to a specific recipient. Accordingly, in Spielman, there is no need to determine one or more recipients for the message since the message is already specifically directed to the intended recipient. The Examiner submits that Col. 8, lines 64-67 to Co. 9, lines 1-5 of Spielman teaches this recitation. However, this excerpt from Spielman merely teaches

parsing a notification delivery message for the designated destination address included in the received notification message. In contrast, Claims 1, 22, and 36 recite determining one or more recipients for a generic-recipient message. As discussed above, a generic-recipient message does not designate any individual recipients. Accordingly, Spielman does not teach or suggest independent Claims 1, 22, and 36. Nor do any of the other cited references, taken alone or in combination, teach or suggest the recitations of these claims. Therefore, Applicants submit that independent Claims 1, 22, and 36 are patentably distinct from the cited references and that the rejection of independent Claims 1, 22, and 36 is overcome and the claims are in condition for allowance.

The Rejection of Independent Claims 10, 29, and 45 Under §102(e) is Overcome

The Examiner also finds that Spielman anticipates independent Claims 10, 29, and 45. A method according to Claim 10 includes receiving a generic-recipient message, determining predefined attributes of the message, and determining whether the message has priority based on the predefined attributes. Claims 29 and 45 include similar recitations and are directed to a device and computer program product, respectively. Although not included in Claims 29 and 45, Claim 10 additionally includes prioritizing the message if a determination is made that the message has priority.

As discussed above, Spielman does not teach or suggest receiving a generic-recipient message as recited by independent Claims 10, 29, and 45. Applicants further submit that Spielman does not teach or suggest determining whether the message has priority based on the predefined attributes. In this regard, the predefined attributes based upon which it is determined whether a message has priority as recited by Claims 10, 29, and 45 may include, for example, sender, content, or subject of the message. *See, e.g.* paragraph 59 of the present application. Thus, Claims 10, 29, and 45 recite determining whether a received generic-recipient message requires priority in, for example, its dispatch to determined recipients.

The Examiner posits that Col. 6, lines 45-65 teaches determining whether

the message has priority based on the predefined attributes. However, in contrast to the priority determination recited in Claims 10, 29, and 45, Spielman teaches “extract[ing] selected portions of notification information from the notification message....[I]tems that may be extracted from the received notification message include:...the priority of the message....” *See*, Col. 6, lines 46-56 of Spielman. Thus, Spielman merely teaches extracting priority information that is included within the received notification message and including that information within a notification message sent to the designated recipient in accordance with the subscriber-designated protocol. Accordingly, Spielman does not teach determining whether the message has priority based upon predefined attributes.

Moreover, Claims 29 and 45 additionally recite comparing the predefined attributes to stored priority information to determine whether the generic-recipient message has priority. In this regard, the predefined attributes may be compared to stored protocol for prioritizing received generic-recipient messages. In contrast, as discussed above, Spielman merely teaches extracting any priority information that may be embedded in the received notification message and adding that to the notification message forwarded according to the subscriber-defined protocol. Thus, there is no comparison of predefined attributes to stored priority information.

Accordingly, Applicants submit that Spielman does not teach or suggest the recitations of independent Claims 10, 29, and 45. Furthermore, none of the other references, taken alone or in combination, teaches or suggests independent Claims 10, 29, and 45. Therefore, Applicants submit that Claims 10, 29, and 45 are patentably distinct from the cited references and thus the rejection is overcome and the claims are in condition for allowance.

The Dependent Claims are Patentably Distinct from the Cited References

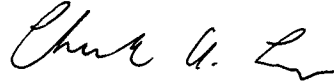
Because the dependent claims include each of the recitations of a respective independent claim, Applicants further submit that the dependent claims are patentably distinct from the cited references, taken alone or in combination, for at least the reasons discussed above and are in condition for allowance.

CONCLUSION

In view of the amended claims and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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